

PUGET SOUND AIR POLLUTION CONTROL AGENCY
KING COUNTY KITSAP COUNTY PIERCE COUNTY SNOHOMISH COUNTY

RECEIVED

May 24, 1995

MAY 25 1995

AGCW-SEATTLE

Ash Grove Cement Company
c/o Edwin S. Pierce Jr., Plant Manager
3801 East Marginal Way South
Seattle, WA 98134

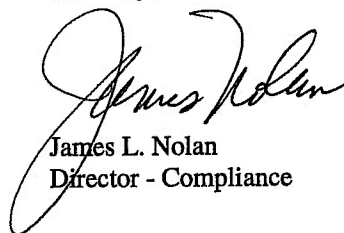
Dear Mr. Pierce:

Ash Grove Cement Company
Notice and Order of Civil Penalty No. 8180 (amended)

This Agency wishes to acknowledge and thank you for check #3935. The funds (\$2,000.00) from this check, when deposited to the Agency, are accepted in full payment of the unsuspended portion of Notice and Order of Civil Penalty No. 8180 (amended).

Thank you for your action to ensure compliance with Agency air pollution regulations and in joining with this Agency in efforts to achieve cleaner air.

Sincerely,



James L. Nolan
Director - Compliance

JLN:dly

cc: Laurie Halvorson/Agency Counsel
Accounting
Rosemary Busterna
Elizabeth Gilpin

Dennis J. McLerran, Air Pollution Control Officer

B O A R D O F D I R E C T O R S

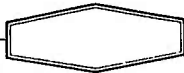
Chairman: Win Granlund, Commissioner, Kitsap County
Janet Chalupnik, Member at Large
Edward D. Hansen, Mayor, Everett

Lynn S. Horton, Mayor, Bremerton
R.C. Johnson, Councilman, Snohomish County
Gary Locke, King County Executive

Harold G. Moss, Mayor, Tacoma
Norman B. Rice, Mayor, Seattle
Doug Sutherland, Pierce County Executive

AGCS2M001271

ASH GROVE CEMENT COMPANY



"WESTERN REGION"

May 19, 1995

Mr. James Nolan
Puget Sound Air Pollution Control Agency
110 Union Street, Suite 200
Seattle, WA. 98119-3958

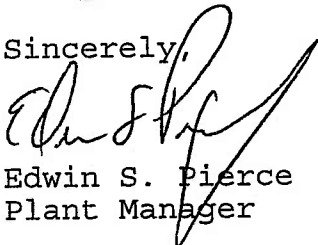
NOTICE AND ORDER OF CIVIL PENALTY No. 8180 (amended)

Dear Mr. Nolan,

Thank you for the May 16, 1995 response amending the above Notice and Order of Civil Penalty. In response, a check #3935 in the amount of \$2,000.00 is enclosed.

We appreciate PSAPCA's consideration in reviewing this matter.

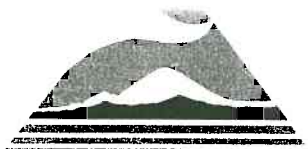
Sincerely,



Edwin S. Pierce
Plant Manager

Copy: G. Brown
H. Steuch
M. Cohen

AGCS2M001273



PUGET SOUND AIR POLLUTION CONTROL AGENCY

KING COUNTY

KITSAP COUNTY

PIERCE COUNTY

SNOHOMISH COUNTY

Certified Mail No. P 783 613 229

May 16, 1995

RECEIVED

Ash Grove Cement Company
c/o Edwin S. Pierce Jr., Reg. Agent
3801 East Marginal Way South
Seattle, Washington 98134

MAY 17 1995

AGCW-SEATTLE

Dear Mr. Pierce:

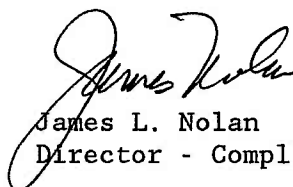
Ash Grove Cement Company
Civil Penalty No. 8180 (amended)
Notice of Disposition on Application for Relief from Penalty

Reference is made to your Request for Mitigation that this Agency received on April 17, 1995. Your request has been reviewed and the Agency agrees to remove Section 9.20 from the civil penalty. Therefore, enclosed is a copy of Civil Penalty No. 8180 (amended).

In accordance with RCW 43.21B.300 and 70.94.431, thirty (30) days after your receipt of this Notice of Disposition on Application for Relief from Penalty, the Civil Penalty becomes due and payable in the full amount of \$2,000.00 unless appealed to the Washington State Pollution Control Hearings Board (PCHB), with a copy of such appeal being presented to this Agency, within the aforementioned thirty (30) day period.

Also enclosed is a brochure, published by the PCHB, that is an informal guide to your rights and responsibilities in an appeal. If you have questions, or would like to discuss settlement of this penalty further, please call me at 689-4053.

Sincerely,


James L. Nolan
Director - Compliance

lh

Enclosures

cc: Gerald J. Brown
Manager, Safety & Environment
Ash Grove Cement Company
3801 East Marginal Way South
Seattle, Washington 98134

AGCS2M001274

Dennis J. McLerran, Air Pollution Control Officer

B O A R D O F D I R E C T O R S

Chairman: Win Granlund, Commissioner, Kitsap County
Janet Chalupnik, Member at Large
Edward D. Hansen, Mayor, Everett

Lynn S. Horton, Mayor, Bremerton
R.C. Johnson, Councilman, Snohomish County
Gary Locke, King County Executive

Harold G. Moss, Mayor, Tacoma
Norman B. Rice, Mayor, Seattle
Doug Sutherland, Pierce County Executive

a municipal corporation of the state of Washington)
110 Union Street, Suite 500)
Seattle, Washington 98101-2038)

NO. 8180
AMENDED

VS)

ASH GROVE CEMENT COMPANY)
c/o Edwin S. Pierce Jr., Registered Agent)
3801 East Marginal Way South)
Seattle, Washington 98134)

NOTICE AND ORDER
OF CIVIL PENALTY

You are hereby notified that, pursuant to RCW 70.94, you have violated Regulation I of the Puget Sound Air Pollution Control Agency and a penalty of \$2,000.00 is assessed against you. The violations are as follows:

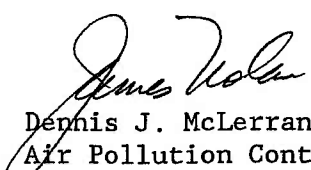
On or about the 23rd day of January 1995, in King County, state of Washington, you violated Sections* 9.11(a) and 9.15(c) of Regulation I. Section 9.11(a) states: "It shall be unlawful for any person to cause or allow the emission of any air contaminant in sufficient quantities and of such characteristics and duration as is, or is likely to be, injurious to human health, plant or animal life, or property, or which unreasonably interferes with enjoyment of life and property." Section 9.15(c) states: "It shall be unlawful for any person to cause or allow the emission of fugitive dust from any refuse burning equipment, fuel burning equipment, equipment used in a manufacturing process, or control equipment."

<u>Time</u>	<u>Description</u>	<u>N/V #</u>
3:00 p.m.	Caused or allowed the fallout and subsequent deposition of raw feed on neighboring property that was detrimental to persons/property; and caused or allowed the emission of fugitive dust from the upper and lower cowling of the east end of the kiln during startup at 3801 East Marginal Way South in Seattle, Washington.	32844

Such penalty is due and payable within thirty (30) days of receipt of this notice, unless within such time a request for hearing is filed. (See reverse side for appeal procedures.)

If such penalty is not paid on or before the last mentioned date, or a request for hearing has not been made to the Pollution Control Hearings Board of Washington and the Air Pollution Control Officer, action will be commenced in court to recover such penalty.

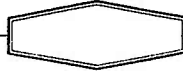
Dated this 16th day of May 1995.


Dennis J. McLerran
Air Pollution Control Officer

Certified Mail No. P 783 613 229

AGCS2M001275

ASH GROVE CEMENT COMPANY



"WESTERN REGION"

April 13, 1995

Mr. James Nolan
Puget Sound Air Pollution Control Agency
110 Union Street, Suite 200
Seattle, WA. 98119-3958

Request for "Mitigation"
NOTICE AND ORDER OF CIVIL PENALTY No. 8180

Dear Mr. Nolan,

Ash Grove Cement Company firmly believes that the January 23, 1995 event should have been considered unavoidable under WAC 173-400-107 for reasons stated in previous correspondence to PSAPCA. (Please refer to: Mr. Fernow's letter of April 6, 1995 and Mr. Brown's letter of February 3 to Fred Austin)

In the spirit of settlement, however, Ash Grove is willing to agree to the proposed penalty provided that PSAPCA revises the Notice and Order of Civil Penalty No. 8180 to withdraw the allegation that Ash Grove violated Section 9.20 of Regulation I. PSAPCA has no basis for alleging that Ash Grove failed to maintain its equipment in good working order. Ash Grove believes this reference to be misleading, unfounded and a misrepresentation of the true condition and method of operation of the Seattle Plant.

Ash Grove recognizes and sincerely regrets that this event occurred. We have and will continue to maintain our equipment according to the highest industry standards and operate the Seattle Plant with the greatest regard for our neighbors and our community.

Sincerely,

Gerald J. Brown
Manager, Safety and Environment

Copy: E. Pierce
H. Steuch
M. Cohen

a municipal corporation of the state of Washington)
110 Union Street, Suite 500)
Seattle, Washington 98101-2038)

VS)

ASH GROVE CEMENT COMPANY)
c/o Edwin S. Pierce Jr., Registered Agent)
3801 East Marginal Way South)
Seattle, Washington 98134)

NO. 8180

APR 11 1995
AGCW - SEATTLE

NOTICE AND ORDER
OF CIVIL PENALTY

You are hereby notified that, pursuant to RCW 70.94, you have violated Regulation I of the Puget Sound Air Pollution Control Agency and a penalty of \$2,000.00 is assessed against you. The violations are as follows:

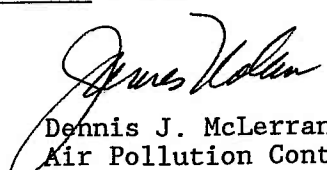
On or about the 23rd day of January 1995, in King County, state of Washington, you violated Sections 9.11(a), 9.15(c), and 9.20 of Regulation I. Section 9.11(a) states: "It shall be unlawful for any person to cause or allow the emission of any air contaminant in sufficient quantities and of such characteristics and duration as is, or is likely to be, injurious to human health, plant or animal life, or property, or which unreasonably interferes with enjoyment of life and property." Section 9.15(c) states: "It shall be unlawful for any person to cause or allow the emission of fugitive dust from any refuse burning equipment, fuel burning equipment, equipment used in a manufacturing process, or control equipment." Section 9.20 states: "(a) It shall be unlawful for any person to cause or allow the operation of any features, machines or devices constituting parts of or called for by plans, specifications, or other information submitted pursuant to Article 6 of Regulation I unless such features, machines or devices are maintained in good working order. (b) It shall be unlawful for any person to cause or allow the operation of any equipment as defined in Section 1.07 or control equipment not subject to Section 9.20(a) unless the equipment or control equipment is maintained in good working order."

<u>Time</u>	<u>Description</u>	<u>N/V #</u>
3:00 p.m.	Caused or allowed the fallout and subsequent deposition of raw feed on neighboring property that was detrimental to persons/property; caused or allowed the emission of fugitive dust from the upper and lower cowl of the east end of the kiln during startup; and caused or allowed the plugging of the 2nd stage calcine preheater at 3801 East Marginal Way South in Seattle, Washington.	32844

Such penalty is due and payable within thirty (30) days of receipt of this notice, unless within such time a request for hearing is filed. (See reverse side for appeal procedures.)

If such penalty is not paid on or before the last mentioned date, or a request for hearing has not been made to the Pollution Control Hearings Board of Washington and the Air Pollution Control Officer, action will be commenced in court to recover such penalty.

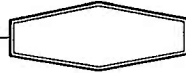
Dated this 10th day of April 1995.


Dennis J. McLerran
Air Pollution Control Officer

Certified Mail No. P 112 430 561

AGCS2M001277

ASH GROVE CEMENT COMPANY



"WESTERN REGION"

Date: February 3, 1995

Mr. Fred Austin
Puget Sound Air Pollution Control Agency
110 Union Street, Suite 500
Seattle, WA. 98119-3958

Re: Notice of Violation #32844

Dear Mr. Austin,

PSAPCA's Notice of Violation #32844 requested a report from Ash Grove on proposed actions to be taken to achieve continuous compliance. This NOV also instructs Ash Grove to correct cement kiln fugitive emissions, maintain calcine preheater in good working order and prevent deposition of particulate on others property.

The event which occurred on January 23, 1994 during process start up was due to a upset condition and is not typical of a normal start up or operating mode. The upset condition occurred when a plug developed shortly after introducing feed to the system. Material blocked the discharge of the second stage cyclone in the preheater and forced a system shutdown. The cause of the plug is unknown. When the plug was cleared, hot raw feed (fine consistency) behind the obstruction flushed down through the remaining stages of the preheater tower, through the kiln and clinker coolers and out the discharge.

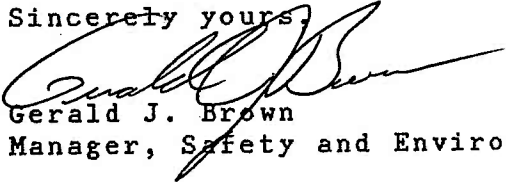
The upset was not caused by poor maintenance or the result of improper operation. The kiln was starting up from a 15 day maintenance period in which refractory was replaced in both the preheater and the kiln. During this period, preheater vessels were checked and showed no indication of a plug. Before shut down on 01/8/95 for this maintenance period, the feed flow through preheater was normal.

Established start up procedures were followed. Temperature at the top or stage 1 of the preheater indicated normal ventilation through the tower. There was no indication of a blockage prior to the introduction of the feed. Upon introducing feed to the system, operations verified material flow through the tower by checking each stage of the preheater. When temperatures throughout the tower began to rise abnormally, each stage in the preheater was once again checked for flow. When the plug was found, the operator immediately shut off the feed. This occurred approximately 45 minutes after introducing feed. This rapid response prevented the accumulation of additional material feed behind the plug.

Other tower plugs have occurred previously and did not resulted in an emission as in this incident. This emission resulted because the plug occurred high in the preheater and there was little material present in the newly rebricked kiln to impede the material flow. Usually, the material that remains in the kiln forms a dam which slows the flow, keeping it in the kiln.

We look forward to meeting with you to further explain this event. We believe this condition did not occur due to poor operations or maintenance of the preheater. Additionally, the emission was not a normal event and resulted from process start up. Ash Grove is committed and will continue to operate the Seattle Plant in the best manner possible.

Sincerely yours,



Gerald J. Brown
Manager, Safety and Environment

Copy: ESP
NAF
HES

BCC MC



PUGET SOUND AIR POLLUTION CONTROL AGENCY
KING COUNTY ▲ KITSAP COUNTY ▲ PIERCE COUNTY ▲ SNOHOMISH COUNTY

April 18, 1995

Ash Grove Cement Company
c/o Gerald J. Brown, Manager, Safety & Environment
3801 East Marginal Way South
Seattle, WA 98134

Dear Mr. Brown:

Ash Grove Cement Company
Application for Relief (Remission or Mitigation)
Notice and Order of Civil Penalty No. 8180

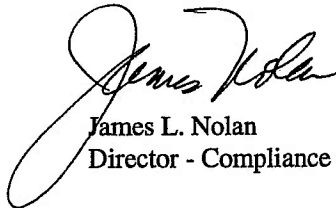
This is to acknowledge receipt by this Agency of the aforementioned Application for Remission or Mitigation on April 17, 1995. The appeal process is suspended until the Agency responds to your application.

The Application will be evaluated pursuant to the requirement of Section 3.11(c) of PSAPCA's Regulation I that provides:

"Upon receipt of the application, the Control Officer shall remit or mitigate the penalty only upon a demonstration by the requestor of extraordinary circumstances such as the presence of information or factors not considered in setting the original penalty."

A Notice of Disposition on the Application for Relief from Penalty will be forthcoming. Thank you.

Very truly yours,



James L. Nolan
Director - Compliance

JLN:dly

cc: Laurie Halvorson/Agency Counsel
Accounting
Elizabeth Gilpin
Rosemary Busterna

Dennis J. McLerran, Air Pollution Control Officer

B O A R D O F D I R E C T O R S

Chairman: Win Granlund, Commissioner, Kitsap County
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Edward D. Hansen, Mayor, Everett

Lynn S. Horton, Mayor, Bremerton
R.C. Johnson, Councilman, Snohomish County
Gary Locke, King County Executive

Harold G. Moss, Mayor, Tacoma
Norman B. Rice, Mayor, Seattle
Doug Sutherland, Pierce County Executive

AGCS2M001280

ASH GROVE CEMENT COMPANY



"WESTERN REGION"

April 6, 1995

Fred Austin
Puget Sound Air Pollution Control Agency
110 Union Street, Suite 500
Seattle, Washington 98101-2038

Re: NOV 32844

Mr. Austin,

Outlined below are the reasons that we believe the events that led to your issuance of Notice Of Violation 32844 should be considered unavoidable under the upset section of WAC 173-400-107. Each response is specific to the subsection letter of Section 6.

(a) The event was not caused by poor or inadequate design, operation, maintenance, or any other reasonably preventable condition;

The plant preheater and cyclones were constructed following a proven design. This tower design has been demonstrated capable of operating at feed rates in excess of 170 tons per hour. The plug that precipitated this emission occurred at a feed rate of ~75 tons per hour. The cyclones have been maintained in good working order and were functioning properly prior to the shutdown.

It is also our standing policy that the material flow path ways through the tower are inspected for obstructions during a shutdown and cleaned as needed. This inspection includes passing an object through all the cyclones, tipping valves, and discharge pipes to verify an unobstructed material pathway prior to introducing feed. The cyclone, tipping valve and discharge pipe inspections identified one mechanical problem, the #4 cyclone

tipping valve. The cyclones that needed to be cleaned were and the #4 tipping valve was repaired prior to restarting the kiln system

(b) The event was not of a recurring pattern indicative of inadequate design, operation, maintenance, or any other reasonably preventable condition;

This event was the first of this nature experienced in this plant since it was constructed.

Cleaning of a plugged cyclone has been performed in the past without the resultant emission of particulate matter. Our methods of cleaning were consistent with the procedures used in the those instances and have not resulted in similar emissions on subsequent cleanings.

A possible contribution to this event was the amount of new kiln brick installed during the shutdown. The new brick work was smooth and with no coating or material left in the kiln there was nothing to impede the flow of material through and out the discharge of the coolers.

(c) The operator took immediate and appropriate corrective action in a manner consistent with good air pollution control practice for minimizing emissions during an event, taking into account the total impact of the corrective action, including slowing or shutting down the emission unit as necessary to minimize emissions, when the operator knew or should have known that an emission standard or permit condition was being exceeded.

Our monitoring system for material progression through the tower is a series of pressure and temperature sensors at the inlets and outlets of each cyclone. The data from these sensors were being monitored in our central control room during the startup.

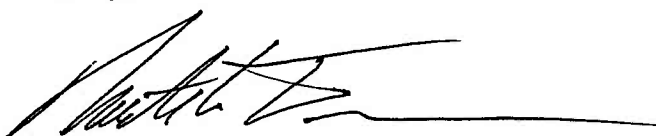
During the first hour after putting feed into the tower showed temperature and pressure trends that are customary for our startup. The control room operator suspected a plugged cyclone in the tower based on an irregularity in the temperature/pressure trends and immediately called for our field operator to verify the sensors operation.

During the time that it took for the field operator to get to the tower and verify the instrument indications, the feed rate to the system was reduced. Once in place, the field operator verified that the instruments were indicating properly and manually confirmed that there was minimal or no flow of material from the #2 cyclone. The field operator attempted to free the blockage, but the efforts were deemed fruitless. The feed was then called to be shut off completely. These decisions were all made within 25 minutes of the first suspicions of the plug. All actions were consistent with our established practices.

It should be noted that at the time of the plug and through the plant shutdown there were no atypical particulate emission from the kiln system. The emission resulted when raw feed loosed from the plugged cyclone flushed all the way through the kiln and out the discharge end of the clinker coolers.

If you have any further questions about this event or require further information on any of these specific points, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nathan A. Fernow', with a long horizontal line extending to the right.

Nathan A. Fernow
Plant Superintendent

cc: Edwin Pierce
Gerald Brown
Matthew Cohen



PUGET SOUND AIR POLLUTION CONTROL AGENCY
KING COUNTY KITSAP COUNTY PIERCE COUNTY SNOHOMISH COUNTY

May 16, 1995

Certified Mail No. P 783 613 229

Ash Grove Cement Company
c/o Edwin S. Pierce Jr., Reg. Agent
3801 East Marginal Way South
Seattle, Washington 98134

Dear Mr. Pierce:

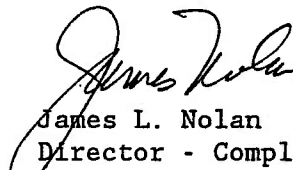
Ash Grove Cement Company
Civil Penalty No. 8180 (amended)
Notice of Disposition on Application for Relief from Penalty

Reference is made to your Request for Mitigation that this Agency received on April 17, 1995. Your request has been reviewed and the Agency agrees to remove Section 9.20 from the civil penalty. Therefore, enclosed is a copy of Civil Penalty No. 8180 (amended).

In accordance with RCW 43.21B.300 and 70.94.431, thirty (30) days after your receipt of this Notice of Disposition on Application for Relief from Penalty, the Civil Penalty becomes due and payable in the full amount of \$2,000.00 unless appealed to the Washington State Pollution Control Hearings Board (PCHB), with a copy of such appeal being presented to this Agency, within the aforementioned thirty (30) day period.

Also enclosed is a brochure, published by the PCHB, that is an informal guide to your rights and responsibilities in an appeal. If you have questions, or would like to discuss settlement of this penalty further, please call me at 689-4053.

Sincerely,


James L. Nolan
Director - Compliance

lh

Enclosures

cc: Gerald J. Brown ✓
Manager, Safety & Environment
Ash Grove Cement Company
3801 East Marginal Way South
Seattle, Washington 98134

AGCS2M001284

Dennis J. McLerran, Air Pollution Control Officer

B O A R D O F D I R E C T O R S

Chairman: Win Granlund, Commissioner, Kitsap County
Janet Chalupnik, Member at Large
Edward D. Hansen, Mayor, Everett

Lynn S. Horton, Mayor, Bremerton
R.C. Johnson, Councilman, Snohomish County
Gary Locke, King County Executive

Harold G. Moss, Mayor, Tacoma
Norman B. Rice, Mayor, Seattle
Doug Sutherland, Pierce County Executive

110 Union Street, Suite 500, Seattle, Washington 98101-2038

(206) 343-8800

(800) 552-3565

FAX: (206) 343-7522

printed on recycled paper

a municipal corporation of the state of Washington)
110 Union Street, Suite 500)
Seattle, Washington 98101-2038)

NO. 8180
AMENDED

VS)

ASH GROVE CEMENT COMPANY)
c/o Edwin S. Pierce Jr., Registered Agent)
3801 East Marginal Way South)
Seattle, Washington 98134)

NOTICE AND ORDER
OF CIVIL PENALTY

You are hereby notified that, pursuant to RCW 70.94, you have violated Regulation I of the Puget Sound Air Pollution Control Agency and a penalty of \$2,000.00 is assessed against you. The violations are as follows:

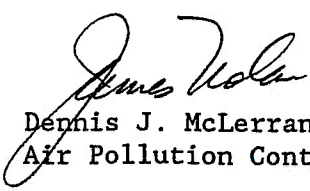
On or about the 23rd day of January 1995, in King County, state of Washington, you violated Sections* 9.11(a) and 9.15(c) of Regulation I. Section 9.11(a) states: "It shall be unlawful for any person to cause or allow the emission of any air contaminant in sufficient quantities and of such characteristics and duration as is, or is likely to be, injurious to human health, plant or animal life, or property, or which unreasonably interferes with enjoyment of life and property." Section 9.15(c) states: "It shall be unlawful for any person to cause or allow the emission of fugitive dust from any refuse burning equipment, fuel burning equipment, equipment used in a manufacturing process, or control equipment."

<u>Time</u>	<u>Description</u>	<u>N/V #</u>
3:00 p.m.	Caused or allowed the fallout and subsequent deposition of raw feed on neighboring property that was detrimental to persons/property; and caused or allowed the emission of fugitive dust from the upper and lower cowlings of the east end of the kiln during startup at 3801 East Marginal Way South in Seattle, Washington.	32844

Such penalty is due and payable within thirty (30) days of receipt of this notice, unless within such time a request for hearing is filed. (See reverse side for appeal procedures.)

If such penalty is not paid on or before the last mentioned date, or a request for hearing has not been made to the Pollution Control Hearings Board of Washington and the Air Pollution Control Officer, action will be commenced in court to recover such penalty.

Dated this 16th day of May 1995.


Dennis J. McLerran
Air Pollution Control Officer

Certified Mail No. P 783 613 229

AGCS2M001285

Puget Sound Air Pollution Control Agency

110 Union Street, Suite 500
Seattle, Washington 98101-2038
Telephone: (206) 343-8800
1-800-552-3565
Facsimile: (206) 343-7522

A GUIDE TO APPEALS FROM CIVIL PENALTIES

This guide is intended to help you understand the basic steps required to file an appeal. Required procedures are detailed in state law (RCW 43.21B and RCW 70.94), the Pollution Control Hearings Board (PCHB) regulations (WAC 371-08), and Puget Sound Air Pollution Control Agency (PSAPCA) Regulation I. Those who wish to appeal Notices of Violation or Notices and Order of Civil Penalty from PSAPCA are urged to consult these documents.

- A. Within fifteen (15) days after the notice is received you may apply to the Control Officer for remission or mitigation (see Section 3.11(c) of PSAPCA Regulation I on the reverse side for required contents).
- B. You may also appeal to the PCHB either thirty (30) days after receiving the notice (if you do not appeal to the Control Officer for mitigation) or thirty (30) days after receipt of the Control Officer's decision on the request for mitigation (see Section 3.11(d) of Regulation I on the reverse side).
- C. A Notice of Appeal to the PCHB must contain at least the information required by WAC 371-08-075 (see back of page for required contents).
- D. The original and one copy of a Notice of Appeal must be filed with:

POLLUTION CONTROL HEARINGS BOARD
Environmental Hearings Office, MS: PY-21
PO Box 40903
Olympia, Washington 98504-0903

- E. An additional copy of the Notice of Appeal must be filed with:

Air Pollution Control Officer
Puget Sound Air Pollution Control Agency
110 Union Street, Suite 500
Seattle, Washington 98101-2038

All notices of actions in connection with the appeal (date and place of hearings, findings, etc.) will be issued by the PCHB with copies to the person filing the appeal and to PSAPCA.

Serving:

King County
Kitsap County
Pierce County
Snohomish County

Dennis J. McLerran, Air Pollution Control Officer

BOARD OF DIRECTORS

CHAIRMAN: Win Granlund, Commissioner Kitsap County
Janet Chalupnik, Member at Large
Edward D. Hansen, Mayor, Everett

Lynn S. Horton, Mayor, Bremerton
R.C. Johnson, Councilman, Snohomish County
Gary Locke, King County Executive

Harold G. Moss, Mayor, Tacoma
Norman B. Rice, Mayor, Seattle
Doug Sutherland, Pierce County Executive

AGCS2M001286



PUGET SOUND AIR POLLUTION CONTROL AGENCY
KING COUNTY KITSAP COUNTY PIERCE COUNTY SNOHOMISH COUNTY

RECEIVED

FEB 11 1995

February 9, 1995

AGCW-SEATTLE

Ash Grove Cement Company
Ed Pierce
3801 E. Marginal Way S.
Seattle, WA 98134

Dear Mr. Pierce:

Notice of Violation No. 32844

This is to acknowledge our meeting on January 27, 1995 at 3:30 p.m., in which you requested a meeting to discuss the above-referenced Notice of Violation. Pursuant to RCW 70.94.211, a meeting has been scheduled at our office, 110 Union Street, Suite 500 in Seattle, Washington on February 28, 1995, at 1:00 p.m.

If this date and time is not acceptable to you, please contact me at 689-4026, and a mutually agreeable date and time will be arranged.

Sincerely,

Elizabeth Gilpin
Air Pollution Inspector

cc: James L. Nolan, PSAPCA
Laurie S. Halverson, PSAPCA
Rosemary G. Busterna, PSAPCA

EMG:cbc

Dennis J. McLerran, Air Pollution Control Officer

B O A R D O F D I R E C T O R S

Chairman: Win Granlund, Commissioner, Kitsap County
Janet Chalupnik, Member at Large
Edward D. Hansen, Mayor, Everett

Lynn S. Horton, Mayor, Bremerton
R.C. Johnson, Councilman, Snohomish County
Gary Locke, King County Executive

Harold G. Moss, Mayor, Tacoma
Norman B. Rice, Mayor, Seattle
Doug Sutherland, Pierce County Executive

110 Union Street, Suite 500, Seattle, Washington 98101-2038 (206) 343-8800 (800) 552-3565 FAX: (206) 343-7522

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"WESTERN REGION"

3801 EAST MARGINAL WAY, SOUTH

SEATTLE, WA 98134

PLANT OFFICE: (206) 623-5596

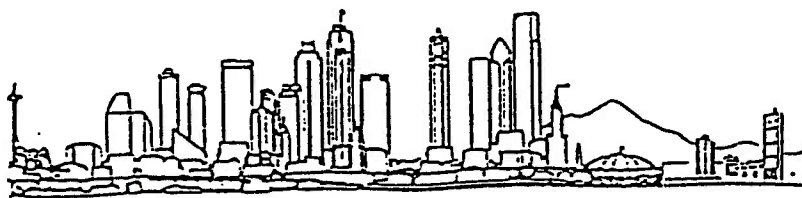
FAX: (206) 623-5355

TELECOPIER TRANSMISSION REPORT

DATE: 2/15/95
TO: Hans Stueck
COMPANY: AGC
FROM: G J Brown
SUBJECT: NOV 32844
NUMBER OF PAGES (including cover): 2

*Can you make this meeting? Any comments
on the proceedings.*

Jim



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PUGET SOUND AIR POLLUTION CONTROL AGENCY

110 Union Street, Suite 500, Seattle, Washington 98101-2038

206-343-8800 / 1-800-552-3565 / Fax 206-343-7522

Registration No. 11339

Cert. Mail No. _____

No. **32844**

NOTICE OF VIOLATION

Date of Violation: Jan 23, 1995 at 15:00 m.

Name <u>Ash Grove Cement Co.</u>		Responsible Person, Title <u>Garry Brown</u> <u>Manager</u>	
Location of Violation (Address) <u>3801 E Marginal Wy So.</u>	City <u>Seattle</u>	Zip <u>98134</u>	County <u>King</u>
Mailing Address <u>As above</u>	City, State <u>Seattle, Wa.</u>	Zip <u>98134</u>	Phone <u>623-5596</u>

DID UNLAWFULLY CAUSE OR ALLOW VIOLATION OF:

REGULATION I OF THE PUGET SOUND AIR POLLUTION CONTROL AGENCY FOR:

- ☐ Section 5.05(e) Failure to develop and implement an operation and maintenance plan.
- ☐ Section 6.03(a) Failure to obtain Notice of Construction approval prior to construction/installation/establishment of a source.
- ☐ Section 6.09(b) Failure to meet conditions of an Order of Approval.
- ☐ Section 9.03(a) Visible emissions in excess of 20% opacity for periods aggregating more than 3 minutes/hour.
- ☐ Section 9.04 Particulate matter deposited in quantities/characteristics/duration so as to be injurious or interfere with enjoyment of life/property.
- ☒ Section 9.11(a) Emission of air contaminant in quantities/characteristics/duration so as to be injurious or interfere with enjoyment of life/property.
- ☐ Section 9.12(b) Emission of odor-bearing air contaminants without use of best available control technology.
- ☐ Section 9.15(a) Emission of fugitive dust without use of best available control technology.
- ☐ Section 9.15(b) Operation of vehicle on paved public roadway with dirt/mud/debris on undercarriage (track out) or load spillage.
- ☒ Section 9.15(c) Emission of fugitive dust from manufacturing process equipment or control apparatus.
- ☐ Section 9.16 Failure to apply VOC-containing material using spray equipment in an enclosed area with filtered exhaust and vertical stack.
- ☒ Section 9.20 Failure to operate and maintain equipment in good working order.
- ☐ Section _____

☐ Section _____

FACTS ALLEGED TO CONSTITUTE A VIOLATION

Causing or allowing the fall out and subsequent deposition of raw feed that was detrimental to persons or property at 48 St. Nevada St., allowing the emission of fugitive dust from the upper & lower cawling of the East end to the Kiln during start up and allowing the plugging of the 2nd stage calcine preheater.

CORRECTIVE ACTION ORDER

Under the provisions of Section 3.09 of Regulation I and RCW 70.94.211 you are ordered to submit a written report within ten (10) days of receipt of this Notice describing the necessary corrective action you have taken or propose to take, including a schedule, to achieve continuous compliance with the regulations, and take the following necessary corrective action:

Correct Cement Kiln fugitive emissions. Maintain calcine preheaters in good working order. Prevent deposition of particulate on others property

Issued By [Signature]

1/27/95 15:35
Date/Time

Received By [Signature]

Signing this Notice is not an admission of guilt